

ORDINANCE NO. 2001- 025

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 13, ARTICLE II (ORDINANCE NO. 96-16), TO BE KNOWN AS THE PALM BEACH COUNTY EMERGENCY MEDICAL SERVICES ORDINANCE OF 2001, PROVIDING FOR: SHORT TITLE; AUTHORITY AND PURPOSE; DEFINITIONS; CERTIFICATES AND ENDORSEMENTS REQUIRED; PROCEDURES FOR REQUESTING CERTIFICATE; INVESTIGATION AND REVIEW OF APPLICATION; REQUIREMENT FOR BOARD APPROVAL IN GRANTING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; TERM AND ASSIGNABILITY OF CERTIFICATES; RIGHTS AND DUTIES GRANTED BY CERTIFICATE; PROVISION OF PATIENT OUTCOME DATA; VEHICLE PERMITS; RULES AND REGULATIONS; GENERAL PROHIBITION; DEFICIENCIES; COMPLAINT PROCEDURE; CERTIFICATION, REVOCATION, MODIFICATION, SUSPENSION; ENFORCEMENT AND PENALTIES; RESPONSE TIMES; EMERGENCY POWERS; EXCLUSION FROM CERTIFICATE OR PERMIT REQUIREMENT; PENALTIES; INCLUSION IN CODE OF LAWS AND ORDINANCES; APPLICABILITY; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; EFFECTIVE DATE AND IMPLEMENTATION.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, adopted the Palm Beach County Emergency Medical Services Ordinance, Chapter 13, Article II, (Ordinance No. 96-16); and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, desires to repeal Palm Beach County Ordinance No. 96-16 and replace it with the following Ordinance; and

WHEREAS, Chapter 401, Florida Statutes, authorizes the Board of County Commissioners of Palm Beach County to provide and maintain for the citizens of said County standards which ensure their health, welfare and well being; and

WHEREAS, the Board of County Commissioners of Palm Beach County recognizes that the public health and safety of the residents and visitors of the County will best be served by enacting emergency medical services legislation; and

WHEREAS, in order to effectively promote the health, safety, and welfare of the residents and visitors of Palm Beach County in need of emergency medical services, it is necessary to establish reasonable standards for issuing Certificates of Public Convenience and Necessity for Advanced Life Support, Advanced Life Support Transportation, and Air Ambulance Services.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. SHORT TITLE

This Ordinance shall be known and may be cited as the "Palm Beach County Emergency Medical Services Ordinance of 2001."

1 **SECTION 2. AUTHORITY AND PURPOSE**

2 This Ordinance is promulgated pursuant to Chapter 401, Florida Statutes. The purpose of
3 this Ordinance is to promote the health, safety, and welfare of residents of Palm Beach County in
4 need of emergency medical services by establishing standards for issuing Certificates of Public
5 Convenience and Necessity for Advanced Life Support Transportation Services, Advanced Life
6 Support Services, and Air Ambulance Services and by providing for the adoption of Rules and
7 Regulations governing the Zones, Areas, and operation of the services as described herein.

8 **SECTION 3. DEFINITIONS**

9 A. “Administrator” means the Palm Beach County Administrator or his designee.

10 B. “Advanced Life Support” or “ALS” means treatment of life-threatening medical
11 emergencies through the use of techniques such as endotracheal intubation, the administration of
12 drugs or intravenous fluids, telemetry, cardiac monitoring, and cardiac defibrillation by a person
13 qualified in accordance with Chapter 401, Florida Statutes.

14 C. “Advanced Life Support Rescue” means the extrication and recovery of persons
15 and the use of Advanced Life Support treatment that do not involve fire fighting as a regular duty.

16 D. “Advanced Life Support Service” means any person, firm, corporation, association,
17 or governmental entity owning or acting as an agent for the owner of any business or service which
18 furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes
19 to engage in the business or service of providing Advanced Life Support.

20 E. “Advanced Life Support (ALS) Transportation Service” means any person, firm,
21 corporation, association, or governmental entity owning or acting as an agent for the owner of any
22 business or service which furnishes, operates, conducts, maintains, advertises, engages in, proposes
23 to engage in, or professes to engage in the business or service of responding to medical or
24 emergency medical calls with ALS Units and which is endorsed by the County to routinely
25 transport patients.

26 F. “Advanced Life Support Unit” or “ALS Unit” means any land or water vehicle that
27 is designed, constructed, reconstructed, maintained, equipped or operated and is used for or
28 intended to be used for water or land ALS transportation of sick or injured persons requiring or
29 likely to require medical attention or emergency medical attention.

30 G. “Advanced Life Support Vehicle” or “vehicle” means any vehicle which is staffed
31 and equipped to provide Advanced Life Support treatment, but not used for transport.

32 H. “Air Ambulance” means any aircraft used for, or intended to be used for, air
33 transportation of sick or injured persons requiring or likely to require medical attention during
34 transport.

1 I. “Air Ambulance Service” means any person, firm, corporation, association, or
2 governmental entity owning or acting as an agent for the owner of any business or service which
3 furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes
4 to engage in the business or service of responding to medical or emergency medical calls with Air
5 Ambulances.

6 J. “Basic Life Support or BLS” means treatment of medical emergencies by a qualified
7 person through the use of techniques such as patient assessment, cardiopulmonary resuscitation
8 (CPR), splinting, obstetrical assistance, bandaging, administration of oxygen, application of
9 medical anti-shock trousers, administration of subcutaneous injection using a pre-measured auto-
10 injector of epinephrine to a person suffering an anaphylactic reaction, and other techniques
11 described in the Emergency Medical Technician Basic Training Course Curriculum of the United
12 States Department of Transportation.

13 K. “Basic Life Support Service” means any emergency medical service which uses BLS
14 techniques.

15 L. “Area” means a geographical division of Palm Beach County that is clearly
16 defined by distinct borders and/or municipal boundaries within which a Primary Provider will
17 provide services.

18 M. “Board” means the Board of County Commissioners of Palm Beach County,
19 Florida.

20 N. “Certificate Holder” means any person, firm, corporation, association, or
21 governmental entity owning or acting as an agent for the owner of any business or service which
22 has been issued a Certificate of Public Convenience and Necessity by Palm Beach County.

23 O. “Certificate of Public Convenience and Necessity” or “Certificate” or “COPCN”
24 or “EMS Certificate” means a Certificate with Endorsements issued by the Board of County
25 Commissioners of Palm Beach County, Florida, deeming it to be in the public convenience and
26 necessity for the named Advanced Life Support Transportation Service, Advanced Life Support
27 Service, or Air Ambulance Service to operate within the confines of Palm Beach County, as
28 authorized in Section 401.25, Florida Statutes.

29 P. “County” means the incorporated and unincorporated areas of Palm Beach
30 County, Florida.

31 Q. “Emergency Medical Call” means any request for the immediate and prompt
32 dispatch of an ALS unit, vehicle, or Air Ambulance for the purpose of providing immediate
33 medical assistance or transportation of a sick, injured or otherwise incapacitated patient.

34 R. “Emergency Medical Services” means the activities or services to prevent or treat

1 a sudden critical illness or injury and to provide emergency medical care and/or pre-hospital
2 emergency medical transportation to sick, injured, or otherwise incapacitated persons in this state.

3 S. “Emergency Medical Services Council” or “EMS Council” means the agency
4 appointed by the Board of County Commissioners to advise and provide comment on matters
5 relating to emergency medical services within Palm Beach County.

6 T. “Endorsement” means the type(s) of service a Certificate Holder is authorized to
7 provide and the respective Area(s) or Zone(s) in which it may provide said service, as shown
8 on an EMS Certificate issued by the Board.

9 U. “En Route Time” shall be measured as the time beginning when a request for
10 emergency assistance is received at a Certificate Holder’s Public Safety Answering Point (PSAP)
11 or dispatch center and ends when an Advanced Life Support unit or Advanced Life Support
12 vehicle, or Air Ambulance of a Certificate Holder reports beginning its response to the reported
13 address of the emergency. All en route times are to be measured in increments of minutes and
14 seconds.

15 V. “Evacuation” means the withdrawal and transport of ill or incapacitated persons
16 who reside in threatened areas and require transportation, to or from a Board established shelter,
17 utilizing ALS units, when required by the Board due to a local state of emergency.

18 W. “Glades Sub-Zone” means the geographical area of Palm Beach County which
19 includes the incorporated area of the Cities of Belle Glade, Pahokee, and South Bay and certain
20 unincorporated area that is defined in the Rules and Regulations within which a Secondary
21 Provider will provide Primary Advanced Life Support Service.

22 X. “Inter-Facility Transfer” means the transportation of a patient by an ALS unit or
23 Air Ambulance licensed under Chapter 401, Florida Statutes, between two facilities licensed under
24 Chapter 395, Florida Statutes.

25 Y. “MedCom” means the Palm Beach County Medical Communications Center.

26 Z. “Medical Call” means any request for medical assistance or transportation which
27 does not require the immediate or prompt dispatch of an ALS unit, vehicle, or Air Ambulance, or
28 any situation which does not require the immediate or prompt provision of medical assistance or
29 transportation.

30 AA. “Medical Control” means direct physician supervision through two-way voice
31 communication or through established written standing orders.

32 BB. “Medical Director” means a Florida licensed physician who shall become an
33 active member of the Palm Beach County EMS Council's Medical Director's Standing
34 Subcommittee and is employed or contracted to provide medical supervision for the daily operations

1 and training pursuant to Chapter 401, Florida Statutes, of Advanced Life Support transportation
2 services, Advanced Life Support services, or Air Ambulance services, as defined in Chapter 64E-2
3 (F.A.C.).

4 CC. “Medical Director's Standing Subcommittee” means a perennial subcommittee of
5 the EMS Council comprised of medical directors of ALS transportation services, ALS services, or
6 Air Ambulance services.

7 DD. “Patient” means any person who requires, or may require, medical assistance
8 and/or transportation.

9 EE. “Permit” means the adhesive decal issued by the County to an ALS transportation
10 service, ALS service, or Air Ambulance service, and which must be affixed to an ALS unit, vehicle,
11 or Air Ambulance authorized by the Administrator to operate in Palm Beach County. No ALS unit
12 or vehicle, or Air Ambulance, shall operate in Palm Beach County without obtaining said Permit.

13 FF. “Primary Provider” means the agency designated by the Board to provide Advanced
14 Life Support emergency medical services and/or transport within the Area or Zone stated upon
15 their COPCN.

16 GG. “Response Time” shall be measured as the time beginning when a request for
17 emergency assistance is received at a Certificate Holder’s Public Safety Answering Point (PSAP)
18 or dispatch center and ends when an Advanced Life Support unit or vehicle or Air Ambulance of
19 a Certificate Holder arrives at the reported address of the emergency. All response times are to be
20 measured in increments of minutes and seconds.

21 HH. “Secondary Provider” means the agency designated by the Board to provide
22 Secondary Advanced Life Support transport services within a geographically defined Zone.

23 II. “Secondary Provider Zone” or “Zone” means the geographical division of Palm
24 Beach County that is defined in the Rules and Regulations within which a Secondary Provider will
25 provide Advanced Life Support service.

26 JJ. “Special Secondary Service Provider” means the agency designated by the Board
27 to provide Special Secondary Advanced Life Support or Basic Life Support Services within those
28 gated communities which request to have such services at costs borne by the requesting gated
29 communities.

30 KK. “Subscription Service Program” means an agreement between a Certificate Holder
31 providing Advanced Life Support (ALS) Transportation Service in Palm Beach County and a
32 homeowners’ association, condominium association, country club, community association
33 (collectively referred to as “Community”) or any other person or entity which agreement provides
34 for the provision of various ambulance or ambulance transportation services by the Certificate

1 Holder for the Community, or other person or entity, for a specified premium or price paid by the
2 Community, or other person or entity. In an agreement with a Community, the funds to pay the
3 premium to the Certificate Holder are generated by assessments paid by the residents to the
4 mandatory homeowners' or condominium association governing the Community. The Subscription
5 Service program shall be authorized by the issuance of a Certificate of Authority by the Department
6 of Insurance, State of Florida. The Certificate Holder must meet all licensing and other
7 requirements of the Department of Insurance.

8 LL. "Transfer" means the transportation of a patient by an ALS unit or Air Ambulance
9 as a result of a request for response to a medical call.

10 **SECTION 4. CERTIFICATES AND ENDORSEMENTS REQUIRED**

11 A. Palm Beach County shall issue Certificates of Public Convenience and Necessity
12 titled "EMS Certificates". Every person, firm, corporation, association, or governmental entity
13 owning or acting as an agent for the owner of any business or service, wishing to respond to
14 emergency and medical calls, which furnishes, operates, conducts, maintains, advertises, engages
15 in, proposes to engage in, or professes to engage in the business or service of providing Primary
16 Provider or Secondary Provider Advanced Life Support transportation, Primary Provider Advanced
17 Life Support, Special Secondary Service Provider, inter-facility transfer, inter-hospital or Air
18 Ambulance services, must obtain an EMS Certificate. Due to the standards established by this
19 Ordinance, no "EMS Certificates" shall be issued with a BLS Endorsement.

20 B. EMS agencies which intend to be an ALS Primary Provider but not provide routine
21 transport of patients must apply for, and obtain, an "ALS Service" Endorsement to their respective
22 Certificate of Public Convenience and Necessity.

23 C. EMS agencies which intend to be an ALS Primary Provider and provide routine
24 transport of patients must apply for, and obtain, an "ALS Transport Service" Endorsement to their
25 respective Certificate of Public Convenience and Necessity.

26 D. EMS agencies which intend to be a Secondary Provider and provide Secondary
27 ALS response and provide routine transport of patients must apply for, and obtain, a "Secondary
28 Provider ALS Transport" Endorsement to their respective Certificate of Public Convenience and
29 Necessity and must notify the Primary Providers within the Zone of the intent to apply.

30 E. Only non-governmental EMS agencies may provide inter-hospital or inter-facility
31 transfer services, with the exception of Air ambulance transfers. Governmental agencies shall not
32 provide inter-hospital or inter-facility transfer services unless, based on an emergency call as
33 defined in Section 3 herein and originating from the County's Emergency 9-1-1 Telephone
34 System, the patient's condition requires a response from the nearest available EMS agency, or

1 when Air Ambulance transfer is required. Emergency inter-hospital or inter-facility transports shall
2 meet the same response time requirements as an emergency medical call.

3 F. Only those agencies which possess a Palm Beach County Certificate of Public
4 Convenience and Necessity may provide Advanced Life Support transportation, Advanced Life
5 Support, inter-facility transfer, inter-hospital transport, Air Ambulance services, and/or respond
6 to emergency or medical calls in Palm Beach County, except as otherwise provided in Chapter
7 401.33, Florida Statutes.

8 G. Governmental entities having a public mandate to provide emergency medical
9 services within their jurisdiction may be granted a Certificate by the Board and may serve said
10 jurisdiction as the Primary Provider. Any governmental entity requesting a Certificate of Public
11 Convenience and Necessity must comply with all the requirements set forth in this Ordinance
12 including, but not limited to, Section 5. The Endorsement(s) on the Certificate shall reflect the
13 service which is authorized by the Board.

14 H. Agencies which intend to provide Special Secondary Service must apply for, and
15 obtain, a Special Secondary Service Provider - Non-Transport Only (Name of Community)
16 Endorsement to their respective Certificate of Public Convenience and Necessity.

17 I. During the term of the Secondary Service Provider's Certificate of Public
18 Convenience and Necessity, the Glades Sub-Zone shall be the responsibility of each Secondary
19 Service Provider for a period of three years. The Board shall determine the term for each
20 Secondary Provider.

21 J. In order to provide services under a Subscription Service Program, the ALS
22 Transportation Service must hold both a Certificate of Public Convenience and Necessity "EMS
23 Certificate" and a Certificate of Authority issued by the Department of Insurance, State of
24 Florida.

25 **SECTION 5. PROCEDURES FOR REQUESTING CERTIFICATE**

26 A. Each applicant requesting a Certificate of Public Convenience and Necessity shall
27 submit a copy of a completed application as required by Chapter 401, Florida Statutes, and any
28 rules promulgated pursuant thereto. This application must also include:

29 1. such other forms and information that the Administrator may require for full
30 and complete disclosure of information for consideration by the Board of County Commissioners
31 including, but not limited to, information as to Zones, Areas, rate schedules, subscription service
32 program, financial information as referenced in Section 6 of this Ordinance, current financial
33 statement prepared by an independent accounting firm or, in the case of a governmental unit, the
34 funds budgeted for this service; and

1 2. the specific service Endorsement sought and Area or Zone in which the
2 applicant intends to provide the service; and

3 3. a non-refundable application fee as established by the Board of County
4 Commissioners, by resolution; and

5 4. if applying for a Secondary Provider Certificate, an affidavit declaring the
6 applicant's agreement to provide Advanced Life Support Transportation and Advanced Life
7 Support Rescue service to the Glades Sub-Zone for a consecutive three year period.

8 B. Public notice shall be given by the Administrator no earlier than one hundred
9 twenty (120) days and no later than ninety (90) days prior to the expiration date of all Certificates
10 of Public Convenience and Necessity. This notice shall state that the County will be accepting
11 applications for Certificates for all Zones and Areas of operation within the County.

12 EXCEPTION: The Administrator shall establish a separate public notice time frame for
13 acceptance of initial certificates of Secondary Providers for Zones 1 and 2.

14 C. Applications shall be submitted to the Administrator or his designee no earlier than
15 ninety (90) days and no later than forty-five (45) days prior to the expiration date of the Certificate
16 of Public Convenience and Necessity.

17 D. Applications for Certificates shall be accepted only during the time specified in the
18 public notice, however, applications for Special Secondary Service Provider Certificates from
19 security companies shall be accepted at any time after the requirements of this section and the
20 following requirements have been met:

21 1. the affected community submits a letter of request for this type service,
22 prepared and signed by an authorized representative of said community;

23 2. a Memorandum of Understanding is executed between the applicant and the
24 Primary Certificate of Public Convenience and Necessity holder;

25 3. the applicant verifies adoption and use of the Uniform County-wide ALS
26 protocols;

27 4. common medical direction is assured through the applicant's medical
28 director actively participating in the Palm Beach County Medical Director's Association;

29 5. two-way communications is provided between the Primary and Special
30 Secondary Service provider, through a means specified by the primary provider. In addition, the
31 Special Secondary Service provider must maintain a direct means of re-transmitting all requests
32 for emergency assistance to the primary provider. Said means shall be as specified by the primary
33 provider. The cost of such communication system shall be the sole responsibility of the Special
34 Secondary Service Provider;

1 6. incident documentation shall be consistent with the primary provider and
2 shall be made available to the primary provider, upon request;

3 7. the applicant verifies compliance with Chapter 401, Florida Statutes and
4 Florida Administrative Code Chapter 64E-2 with respect to equipment required for ALS
5 non-transport vehicles.

6 **SECTION 6. INVESTIGATION AND REVIEW OF APPLICATION**

7 A. Upon receipt of an application, the Administrator shall review the application,
8 conduct an investigation, and obtain verification that the applicant meets the requirements of all
9 applicable federal, state and local laws. The investigation shall include consideration of:

- 10 1. the need for the proposed service in the requested Area or Zone;
- 11 2. the financial information of the applicant to ensure continued service to the
12 Area or Zone which shall include copies of the applicant's past two Medicare audits, if any, and
13 copies of the past three years of consolidated financial statements or audited financial statements
14 of the company and its parent company or holding company, if any. For purposes of this Ordinance
15 a parent company or holding company shall mean any person, corporation or company holding,
16 owning or in control of more than ten (10%) percent stock or financial interest of another person,
17 corporation or company;
- 18 3. the proposed rate structure as it relates to those currently charged in the
19 County;
- 20 4. the applicant's assurance that it has met or can meet all federal, state and
21 local requirements; however, said requirements must be met prior to the issuance of a Certificate;
- 22 5. the professional and personal integrity of the applicant;
- 23 6. the applicant's past performance in this Area or Zone, as well as in other
24 jurisdictions, Zones, or Areas which demonstrate at the time of application that the applicant's
25 personnel have a minimum of three years experience providing emergency ALS service and a
26 minimum of three years experience in ALS Rescue.
- 27 7. other information deemed relevant by the Administrator;
- 28 8. non-governmental applicants must file with Palm Beach County a
29 performance bond in the amount of One Million (\$1,000,000.00) Dollars for each Certificate of
30 Public Convenience and Necessity with a performance company qualified to do business in the State
31 of Florida. The bond shall be to Palm Beach County and in favor of Palm Beach County for the
32 benefit of any person injured as a result of a violation of this Ordinance as well as for the fraud,
33 misrepresentation, breach of contract, financial failure or other failure of the business, unfair or
34 deceptive trade practice, disclosure violation, or violation of any provision of this Ordinance by

1 the Certificate Holder. The term of the performance bond shall be for at least the term of the
2 Certificate. The original performance bond required by this section shall be filed with Palm Beach
3 County Division of Emergency Management, EMS Office. Palm Beach County may bring an
4 action in a court of competent jurisdiction against the performance bond. In the event Palm Beach
5 County prevails in said action, the court shall award Palm Beach County reasonable attorney's fees
6 and costs, including appellate attorney's fees and costs. The performance bond shall require that
7 any performance company canceling a bond provided to a Certificate Holder pursuant to this
8 section shall notify Palm Beach County of such cancellation in writing at least ten (10) days before
9 cancellation;

10 9. disclosure of any information regarding litigation or investigation, current
11 pending or past final;

12 10. the past three years of federal, state, and/or local agency vehicle and staff
13 inspections.

14 B. The Administrator shall forward all investigative reports to the Palm Beach County
15 Emergency Medical Services Council for its review. A copy of the Administrator's report shall,
16 concurrently, be forwarded to the applicant. After said review, the EMS Council shall provide the
17 Board with its recommendations as to Primary and Secondary Providers. Prior to the review of
18 the applications by the EMS Council, the Administrator may request the Board to set a date for a
19 public hearing, as described in Section 7, to consider the applications and the EMS Council's
20 recommendations.

21 C. The applicant shall cooperate with the Administrator in producing or causing to be
22 produced any information appropriate to the investigation and report. Failure to provide any
23 information requested by the Administrator may result in rejection of the application.

24 D. The Administrator's Report concerning the application shall be forwarded to the
25 Board for the Public Hearing.

26 **SECTION 7. REQUIREMENT FOR BOARD APPROVAL IN GRANTING A**
27 **CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

28 A. The Board shall schedule public hearings to consider all applications for
29 Certificates. The Administrator shall notify all applicants and current Certificate Holder's of the
30 date, time, and place of the public hearing at least ten (10) days prior to said hearing. All applicants
31 shall appear before the Board at the public hearing on the same day.

32 B. At the hearing, the Board shall receive the report of the Administrator, report of the
33 EMS Advisory Council, testimony from the applicant(s) or any other interested party, and any other
34 relevant information. For all Certificates, the Board will consider the public's convenience and the

1 necessity for the service in the Zone or Area requested. The Board will consider whether the
2 applicant has the ability to provide the necessary service based upon the criteria set forth in this
3 Ordinance and Chapter 401, Florida Statutes. The Board shall also consider the recommendations
4 of any municipality or municipalities applying for a Certificate or affected by the issuance of a
5 Certificate. For Special Secondary Provider Certificates only, the Board shall consider the request
6 by an authorized representative of the community. For Secondary Provider Certificates, the Board
7 shall require the applicant's agreement to provide Primary Advanced Life Support Transportation
8 and Advanced Life Support Rescue service to the Glades Sub-Zone.

9 C. At said public hearing, after consideration of the aforementioned information, the
10 Board shall determine, based upon the criteria and guidelines of this Ordinance and Chapter 401,
11 Florida Statutes, which agencies shall serve all or a portion of the Zone or Area requested. The
12 agencies determined by the Board as most qualified to serve all or a portion of the Zone or Area
13 shall be identified as "Primary" or "Secondary" providers.

14 D. The Board shall then authorize the issuance of the Certificate with such conditions,
15 restrictions and/or Endorsements as are in the public's interest or deny the application setting forth
16 the reasons for the denial.

17 1. the Board of County Commissioners may limit or define the extent to which
18 a "Primary" or "Secondary" provider may provide service within the Zone or Area.

19 2. all Certificate Holders shall respond to another Certificate Holder's Area or
20 Zone if requested by MedCom, unless it will remove all coverage from its assigned Area or Zone.

21 3. the Board of County Commissioners shall, upon the issuing of Secondary
22 Provider Certificates of Public Convenience and Necessity, assign the Glades Sub-Zone to each of
23 the Secondary Providers for a three year period. Each assignment shall be the equivalent of one-
24 half of the term of the Certificate issued to the Secondary Provider.

25 E. Notwithstanding the procedures and substantive requirements for the issuance of a
26 Certificate, the Board may grant, at its discretion, and at any time, a temporary Certificate of Public
27 Convenience and Necessity for a period not to exceed six (6) months in order to safeguard and
28 protect the public health, safety and welfare. This temporary Certificate may be renewed.

29 **SECTION 8. TERM AND ASSIGNABILITY OF CERTIFICATES**

30 A. Certificates of Public Convenience and Necessity granted by the Board pursuant to
31 this Ordinance shall be valid for six (6) calendar years. All Certificates shall be personal to the
32 applicant and may, with the approval of the Board of County Commissioners at a public hearing,
33 be assigned or transferred, contingent upon the completion of requirements set forth in this
34 Ordinance including, but not limited to, Section 6. All EMS Certificate Holders within the County

1 shall be provided with notice, at least ten (10) days prior, of any Public Hearing regarding the
2 assignment or transfer of a Certificate.

3 EXCEPTION: A certificate issued to a Special Secondary Service Provider shall expire
4 upon notification by the affected community and may not be transferred or otherwise reassigned.

5 B. The Board shall have full discretion to approve or deny, with or without cause, any
6 assignment, subcontract, or proposed assignment by the Certificate Holder. Any assignment or
7 subcontract of the Certificate made by the Certificate Holder without the express written consent
8 of the Board shall be null and void and shall be grounds for the EMS Council to recommend that
9 the Certificate be revoked and the County shall have the right to call the performance bond and shall
10 be free to award the Certificate to another qualified applicant. Notwithstanding anything to the
11 contrary, acquisition of a non-governmental Certificate Holder's company within six (6) months of
12 issuance of the Certificate, shall not be grounds for assignment of the Certificate.

13 **SECTION 9. RIGHTS AND DUTIES GRANTED BY CERTIFICATE**

14 A. Acceptance of a Certificate with an "ALS" Endorsement shall obligate the applicant
15 to:

- 16 1. provide Advanced Life Support to the entire geographical Area or Zone as
17 stated on the Certificate of Public Convenience and Necessity;
- 18 2. respond to all emergency medical calls;
- 19 3. when requested by MedCom, respond to another Certificate Holder's Area
20 or Zone when the Certificate Holder for that Area or Zone is unable to respond, unless it will
21 remove all coverage from its assigned Area or Zone;
- 22 4. abide by all requirements of this Ordinance and Rules and Regulations
23 adopted by the Board and all applicable federal, state and local laws;
- 24 5. provide access to the applicant's business, ALS vehicles and units and Air
25 Ambulances for inspection by the Administrator pursuant to Sections 11, 15 and 16 of this
26 Ordinance;
- 27 6. post, at the place of business, a copy of the fee schedule required under this
28 Ordinance;
- 29 7. submit to the Administrator any changes or any requested changes in the fee
30 schedule at least sixty (60) days prior to the effective date of such change, and all documentation
31 which justifies the fee change;
- 32 8. notify the Administrator at least ninety (90) days prior to the termination or
33 reduction of any service;
- 34 9. not transport patients unless the agency also carries an "ALS Transport"

1 Endorsement;

2 10. perform only those services specifically authorized by its Certificate
3 Endorsement(s), and abide by all restrictions, limitations, and exclusions as identified on the
4 Certificate;

5 11. provide the Administrator with copies of updated, current records and/or
6 data which pertain to Certificate application, personnel certification, and vehicle data, within thirty
7 (30) days of any change to said records; and

8 12. adopt the minimum standard pre-hospital treatment/transport protocols
9 approved and adopted by the Palm Beach County EMS Council. However, a Certificate Holder may
10 implement protocols which exceed the minimum standards adopted by the EMS Council.

11 B. Acceptance of a Certificate with an ALS Transport Endorsement shall obligate the
12 applicant to:

13 1. provide ALS response and transportation service to the entire Zone or
14 geographical Area as stated on the Certificate of Public Convenience and Necessity;

15 2. respond to another Certificate Holder's Zone or Area, when requested to do
16 so by MedCom for emergency medical calls when the Certificate Holder for that Zone or Area is
17 unable to respond, unless it will remove all coverage from its assigned Area or Zone.

18 3. respond to all emergency medical calls unless all ALS units, vehicles, or
19 Air Ambulances are in service on other emergency medical or medical calls;

20 4. abide by all requirements of this Ordinance and Rules and Regulations
21 adopted by the Board and all applicable federal, state and local laws;

22 5. provide access to the applicant's business, ALS units, and Air Ambulances
23 for inspection by the Administrator pursuant to Sections 11, 15 and 16 of this Ordinance;

24 6. post at the place of business a copy of the fee schedule required under this
25 Ordinance;

26 7. submit to the Administrator any changes or any requested changes in the fee
27 schedule at least sixty (60) days prior to the effective date of the change and all documentation
28 which justify the fee change;

29 8. provide emergency medical service and patient transport at no cost to the
30 patient when requested by the Administrator or his designee because an emergency evacuation of
31 persons from an Area or Zone is required by a declaration of a local state of emergency by the
32 Board;

33 9. notify the Administrator at least ninety (90) days prior to termination or
34 reduction of any service;

1 10. perform only those services specifically authorized by its Certificate
2 Endorsement(s), and abide by all restrictions, limitations, and exclusions as identified on the
3 Certificate;

4 11. provide the Administrator with copies of updated, current records and/or
5 data which pertain to Certificate application, personnel certification, and vehicle data, within thirty
6 (30) days of any change of said records; and

7 12. adopt the minimum standard pre-hospital treatment/transport protocols
8 approved and adopted by the Palm Beach County EMS Council. However, a Certificate Holder
9 may implement protocols which exceed the minimum standards adopted by the EMS Council.

10 C. Acceptance of a Secondary Provider Certificate with an ALS Transport
11 Endorsement shall obligate the applicant to:

12 1. provide ALS transportation service to the entire Zone or geographical Area
13 as stated on the Certificate of Public Convenience and Necessity;

14 2. respond to another Certificate Holder's Zone or Area, when requested to do
15 so by MedCom, for emergency medical calls when the Certificate Holder for that Zone or Area is
16 unable to respond, unless it will remove all coverage from its assigned Area or Zone;

17 3. respond to all emergency medical calls unless all ALS units or Air
18 Ambulances are in service are on other emergency medical or medical calls;

19 4. abide by all requirements of this Ordinance and Rules and Regulations
20 adopted by the Board and all applicable federal, state and local laws;

21 5. provide access to the applicant's business and ALS units, or Air
22 Ambulances, for inspection by the Administrator pursuant to Sections 11, 15 and 16 of this
23 Ordinance;

24 6. post at the place of business a copy of the fee schedule required under this
25 Ordinance;

26 7. submit to the Administrator any changes or any requested changes in the fee
27 schedule at least sixty (60) days prior to the effective date of the change and all documentation
28 which justify the fee change;

29 8. provide emergency medical service and patient transport at no cost to the
30 patient when requested by the Administrator or his designee because an emergency evacuation of
31 persons from an Area or Zone is required by a declaration of a local state of emergency by the
32 Board;

33 9. notify the Administrator at least ninety (90) days prior to termination or
34 reduction of any service;

1 10. perform only those services specifically authorized by its Certificate
2 Endorsement(s), and abide by all restrictions, limitations, and exclusions as identified on the
3 Certificate;

4 11. provide the Administrator with copies of updated, current records and/or
5 data which pertain to Certificate application, personnel certification, and vehicle data, within thirty
6 (30) days of any change of said records;

7 12. Provide Advanced Life Support Transportation and Advanced Life Support
8 Rescue Services to the Glades Sub-Zone for the time period identified by the Board of County
9 Commissioners and stated on the Certificate.

10 **SECTION 10. PROVISION OF PATIENT OUTCOME DATA**

11 Hospitals shall, upon request of an EMS provider agency, provide outcome data to the EMS
12 provider agency on individual patients that were transported to said hospital by that agency for the
13 purpose of statistical analysis by the agency's quality assurance and management/improvement
14 program. The outcome data shall consist of admission and/or discharge diagnoses on any and all
15 patients transported to said hospital by the requesting EMS provider agency. An EMS provider
16 agency may not request outcome data on any patients other than those which were treated initially
17 and/or transported by said EMS provider agency. All such requests for outcome data shall be used
18 exclusively by the individual EMS provider agency's quality management/improvement program,
19 and as such, are confidential and protected from discovery as specified by Florida Statutes 395.401,
20 401.265, and 401.425.

21 **SECTION 11. VEHICLE PERMITS**

22 A. Certificate Holders shall be subject to random and routine inspections of their ALS
23 units, ALS vehicles, and Air Ambulances. ALS vehicles, ALS units, and Air Ambulances found
24 acceptable by the Administrator shall be issued a Permit, in the form of an adhesive decal, which
25 shall be affixed to the ALS vehicles, ALS units, and Air Ambulances. Permits shall be valid for
26 one (1) year from date of issue.

27 B. A fee, as established by resolution of the Board of County Commissioners, shall be
28 required for each Permit issued.

29 C. If, during an inspection, the Administrator ascertains that an ALS vehicle, ALS unit
30 or Air Ambulance, or its equipment does not comply with the standards as set forth in Chapter 401,
31 Florida Statutes, or this Ordinance, the Administrator may suspend or revoke its respective Permit
32 until the Certificate Holder can establish that the ALS vehicle, ALS unit, or Air Ambulance is once
33 again in compliance. The Administrator shall allow the Certificate Holder a maximum of thirty
34 (30) days to comply and shall report all Permit suspensions or revocations and pertinent

1 information to the Emergency Medical Services Council.

2 D. ALS vehicles, ALS units, or Air Ambulances with suspended Permits which are
3 not brought into compliance within the time specified by the Administrator, shall have its Permit
4 revoked. It shall be a violation of this Ordinance for an ALS vehicle, ALS unit, or Air Ambulance
5 with a suspended or revoked Permit to operate within the County.

6 E. A Certificate Holder which has had a Permit revoked must apply to the
7 Administrator for a new Permit and shall pay the required fee.

8 F. A Certificate Holder may appeal the revocation of Permit by appearing before the
9 EMS Council at one of its regularly scheduled meetings. A Certificate Holder seeking to appeal
10 a Permit revocation shall make said request in writing to the EMS Council through the
11 Administrator. The Administrator shall then advise the Certificate Holder of the date and time the
12 appeal may be heard.

13 G. The EMS Council shall hear the appeal and vote to either uphold or rescind the
14 revocation. All decisions of the EMS Council shall be final.

15 **SECTION 12. RULES AND REGULATIONS**

16 The Administrator, in consultation with the EMS Council, is hereby authorized to prepare
17 such Rules and Regulations necessary to carry out the purpose of this Ordinance, and shall present
18 these Rules and Regulations for consideration to the Board of County Commissioners at a public
19 hearing.

20 The Board may adopt and subsequently amend Rules and Regulations adopted hereunder
21 at a public hearing, provided notice of the proposed change has been presented to the EMS Council
22 and to the Certificate Holder for review no later than thirty (30) days prior to consideration by the
23 Board.

24 **SECTION 13. GENERAL PROHIBITION**

25 It shall be a violation of this Ordinance, and shall be reported to the Emergency Medical
26 Services Council, for any person, business entity or governmental agency to:

27 A. Obstruct, bar or otherwise interfere with an inspection conducted under the purview
28 of this Ordinance and/or the Rules and Regulations adopted hereunder;

29 B. Make an omission of a material fact or a false statement in any application or other
30 document filed with the Administrator;

31 C. By telephone or otherwise, cause to be placed or place a false emergency medical
32 call;

33 D. Violate or fail to observe any requirement of this Ordinance, or any rule, regulation
34 or order under the provision of this Ordinance;

1 E. Represent herself, himself, or itself as an Advanced Life Support transportation
2 service, an Advanced Life Support service, Air Ambulance service, or engage in the business of
3 conducting an Advanced Life Support transportation service, Advanced Life Support service,
4 inter-facility transfer, inter-hospital transport, Air Ambulance service, and/or respond to medical
5 calls in Palm Beach County without first obtaining an appropriate Certificate of Public
6 Convenience and Necessity from the Board as provided herein and the necessary State of Florida
7 licenses, except as otherwise provided pursuant to Chapter 401.33, Florida Statutes.

8 F. Operate an ALS unit, vehicle, or Air Ambulance that does not meet the requirements
9 of this Ordinance; or

10 G. Obstruct, bar, or otherwise interfere with patient care.

11 Violations of this Ordinance shall be punishable or as provided elsewhere in accordance
12 with Chapter 125.69, Florida Statutes. Each day of continuing violation shall be considered a
13 separate offense.

14 **SECTION 14. DEFICIENCIES**

15 A. Whenever the Administrator determines, by inspection or otherwise, that a
16 Certificate Holder is not in compliance with requirements under this Ordinance or its Rules and
17 Regulations, Chapter 401, Florida Statutes, Rule 64E-2 (F.A.C.) or any other applicable law, the
18 Administrator shall order the Certificate Holder to correct such deficiency.

19 B. Every such correction order, whether verbal or written, shall include a statement of
20 the deficiencies found, the period prescribed within which a deficiency must be corrected, and the
21 provision of the law relied upon. The affected Certificate Holder may file a written request with
22 the Administrator for reconsideration of the order or any portion thereof, within five (5) calendar
23 days of the receipt of such order. Failure of the Administrator to respond to the Certificate Holder's
24 written request for reconsideration within seven (7) calendar days of receipt shall void the
25 correction order. All information shall be forwarded to the Emergency Medical Services Council.

26 **SECTION 15. COMPLAINT PROCEDURE**

27 A. All Complaints filed against a Certificate Holder shall be reviewed. The Certificate
28 Holder who is the subject of said complaint shall be immediately notified of same. The
29 Administrator may designate a Committee to conduct this review. The findings of said Committee
30 will be submitted to the Administrator. If this review substantially verifies that a violation of this
31 Ordinance and/or Rules and Regulations adopted hereunder, or any applicable law has occurred, the
32 Administrator may conduct an investigation. The Administrator shall be provided access to the
33 Certificate Holder's business records for inspection to assist in said investigation. Upon
34 completion of the investigation, the Administrator may present his/her recommendation to the EMS

1 Council for their review and recommendation prior to submission to the Board of County
2 Commissioners.

3 B. If the Administrator or Emergency Medical Services Council finds through an
4 investigation that revocation, suspension, or modification of a Certificate is warranted, the
5 Administrator shall notify the Certificate Holder by certified mail, and the Board of County
6 Commissioners in writing, of such investigative findings. This notice shall state the reasons for
7 any finding and establish a Public Hearing date. The Public Hearing shall be held by the Board of
8 County Commissioners for the purpose of considering the Administrator's investigation and
9 recommendation. The Administrator shall forward the public hearing results to the State EMS
10 office.

11 **SECTION 16. CERTIFICATION, REVOCATION, MODIFICATION,**
12 **SUSPENSION, FINES.**

13 A. Every Certificate issued pursuant to this Ordinance is subject to revocation,
14 modification, suspension or fines where it is found that:

15 1. the Certificate Holder has failed or neglected to adhere to this Ordinance or
16 the Rules and Regulations promulgated by the Board, Chapter 401, Florida Statutes and any other
17 applicable law, or has failed to abide by the conditions and restrictions stated on the Certificate; or

18 2. the application submitted to secure a Certificate of Public Convenience and
19 Necessity from the Board of County Commissioners contains a false representation or omitted
20 material facts; or

21 3. the Certificate Holder, or its agent, has demanded money or other
22 compensation in excess of that established in its schedule of fees filed with the Board pursuant to
23 this Ordinance; or

24 4. the Certificate Holder has failed to comply with a correction order issued
25 under Section 14 of this Ordinance; or

26 5. the Certificate Holder has been adjudicated guilty of a felony, unless the
27 Certificate Holder's civil rights have been restored; or

28 6. the Certificate Holder has been found guilty, by a court of competent
29 jurisdiction, of any criminal offense involving moral turpitude; or

30 7. the Certificate Holder has committed malpractice or negligence in the
31 operation of its service; or

32 8. the Certificate Holder has had their/its State license revoked or suspended.

33 B. The EMS Council shall review and make recommendation to the Board of County
34 Commissioners regarding Certificates subject to revocation, modification, or suspension. The

1 Board of County Commissioners may either accept or reject the recommendation of the EMS
2 Council.

3 C. Notwithstanding the procedures and substantive requirements for the issuance of a
4 Certificate, the Board reserves the right, without a Public Hearing, to designate a current Certificate
5 holder to complete the term of another Certificate Holder whose Certificate has been revoked or
6 otherwise terminated.

7 **SECTION 17. ENFORCEMENT AND PENALTIES**

8 A. This Ordinance shall be enforced by personnel authorized by the Administrator, and
9 law enforcement officers within their respective jurisdictions.

10 B. Any violation of this Ordinance is a civil infraction.

11 C. Any Certificate Holder who has committed an act in violation of this Ordinance shall
12 receive a citation from the Administrator's authorized personnel or any law enforcement officer
13 who has reasonable cause to believe that the Certificate Holder has committed a civil infraction in
14 violation of this Ordinance.

15 D. The county court shall have jurisdiction over all violations of this Ordinance.

16 E. The county clerk shall:

- 17 1. accept designated fines and issue receipts therefor.
18 2. provide a uniform citation form serially numbered for notifying alleged
19 violators to appear and answer to charges of violation of this Ordinance. Such citation forms shall
20 be issued to and receipted by the Administrator.

21 F. Violation of any provision of this Ordinance shall be punishable by a fine not to
22 exceed five hundred dollars (\$500.00).

23 G. Any Certificate Holder issued a citation shall be deemed to be charged with a civil
24 violation and shall comply with the directives on the citation.

25 H. Payment shall be made, either by mail or in person, to the violations bureau within
26 the time specified on the citation. If a Certificate Holder follows this procedure, he or she shall be
27 deemed to have admitted the infraction and to have waived his or her right to a hearing on the issue
28 of commission of the infraction.

29 I. All fines collected as a result of said citations (except those fines collected as a result
30 of citations issued by municipal law enforcement officers, which shall be remitted by the clerk of the
31 court directly to the municipality issuing the citation) shall be paid into the County treasury and
32 deposited into an account designated for use by the Administrator.

33 J. Any Certificate Holder who fails to make payment within the specified period shall
34 be deemed to have waived his or her right to pay the civil penalty as set forth in the citation.

1 K. Any Certificate Holder who elects to appear before the court to contest the citation
2 shall be deemed to have waived his or her right to pay the civil penalty. The court, after a hearing,
3 shall make a determination as to whether a violation has occurred and may impose a civil penalty
4 not to exceed five hundred dollars (\$500.00) plus court costs.

5 L. If a Certificate Holder fails to pay the civil penalty, or fails to appear in court to
6 contest the citation, he or she shall be deemed to have waived his or her right to contest the citation;
7 and in such case, a default judgment may be entered and the judge shall impose a fine at that time.
8 An order to show cause may be issued. If the fine is paid, the case shall be dismissed. If the fine is
9 not paid, judgment may be entered up to the maximum civil penalty.

10 M. Any Certificate Holder cited for an infraction under this Ordinance shall sign and
11 accept the citation indicating a promise to pay the fine or appear in court. Any Certificate Holder
12 who willfully refuses to sign and accept a citation issued by an officer shall be guilty of a
13 misdemeanor of the second degree, punishable as provided by Florida Statute § 775.082 or 775.083,
14 as may be amended.

15 N. The Certificate Holder may require mandatory court appearances for violations
16 resulting in the issuance of a third or subsequent citation to a Certificate Holder. The citation shall
17 clearly inform the Certificate Holder of the mandatory court appearance. The Administrator shall
18 maintain records to prove the number of citations issued to the Certificate Holder. Certificate
19 Holders required to appear in court do not have the option of paying the fine instead of appearing
20 in court.

21 O. It is the purpose of this Ordinance to provide additional cumulative remedies. Each
22 violation of this Ordinance and/or the Rules and Regulations adopted hereunder, and each day in
23 which a continuing violation of this Ordinance exists, shall constitute a separate offense. Multiple
24 offenses may result in a review as identified in Section 16 of this Ordinance.

25 P. Emergency Requests. For every Advanced Life Support Emergency Request to
26 which the Certificate Holder's response time exceeds eight minutes (8.0) if serving as a Primary
27 ALS Provider or ten minutes (10.0) if serving as a Secondary Provider, the Certificate Holder shall
28 be fined One Hundred (\$100.00) Dollars for each response.

29 Q. Unscheduled Inter-Facility Non-Emergency Transfer Requests and Scheduled Inter-
30 Facility Transfers and Transports.

31 R. The Administrator or the Court, as the case may be, in its discretion, may excuse a
32 violation of this Ordinance upon a showing of good cause by the Certificate Holder.

33 S. With the exception of an appeal by a Certificate Holder from the enforcement
34 provisions herein, a violation of this Ordinance shall create no inference or presumption in any other

1 legal or administrative proceeding.

2 1. requests for transport of emergency medical patients in which the Certificate
3 Holder's response time exceeds eight (8.0) minutes, the Certificate Holder shall be fined Fifty
4 (\$50.00) Dollars for each late response.

5 2. requests for transport of an urgent nature, but which are not of an emergency
6 medical classification and have not been prescheduled more than twenty-four (24) hours in
7 advance of the requested pickup to which the Certificate Holder's Advanced Life Support unit
8 responds later than thirty (30) minutes after the scheduled time of pickup, the Certificate Holder
9 shall be fined Fifty (\$50.00) Dollars for each response.

10 3. for every routine scheduled transport, made twenty-four (24) or more hours
11 in advance of the requested pickup to which the Certificate Holder's responds later than fifteen (15)
12 minutes after the scheduled time of pickup, the Certificate Holder shall be fined Fifty (\$50.00)
13 Dollars for each response.

14 4. the Certificate Holder shall be fined One Hundred (\$100.00) Dollars in the
15 event that the response time report required to be supplied by the Certificate Holder pursuant to the
16 Rules and Regulations is incomplete, illegible, inaccurate, altered, falsified or is not submitted as
17 required.

18 5. the provisions of this Section shall take effect January 1, 2002.

19 EXCEPTION: The provisions of this Section do not apply to governmental entities.

20 **SECTION 18. EMERGENCY POWERS**

21 If a situation exists which poses a serious or imminent threat to the health, safety, welfare,
22 or public need and convenience, the Administrator shall have such temporary emergency powers as
23 are necessary to remedy the situation.

24 **SECTION 19. EXCLUSION FROM CERTIFICATE OR PERMIT REQUIREMENT**

25 Certificates or Permits shall not be required for:

26 A. The transport of a patient or passenger pursuant to the Good Samaritan Act, Chapter
27 768.13, Florida Statutes;

28 B. ALS and/or BLS units or Air Ambulances based outside the County which pick up
29 a patient outside the County and transport them into the County, or which pick up a patient inside
30 the County and transport them out of the County;

31 C. All ALS vehicles which serve primarily as administrative vehicles;

32 D. Those ALS and/or BLS units and services that are exempt pursuant to Chapter
33 401.33, Florida Statutes;

34 E. ALS or BLS units providing mutual or automatic aid to a Zone or Area when the

1 Zone or Area's permitted ALS units are unable to respond, or when the patient's condition
2 necessitates immediate transportation as identified in the minimum standard pre-hospital treatment
3 protocols as approved and adopted by the Palm Beach County EMS Council, or as confirmed by
4 Medical Control; or

5 F. ALS or BLS units or Air Ambulances from another county which respond when
6 requested through an officially executed mutual aid agreement.

7 **SECTION 20. PENALTIES**

8 Notwithstanding any other provisions herein, a violation of any provision of this Ordinance
9 or the Rules and Regulations adopted hereunder shall be prosecuted in the same manner as a
10 misdemeanor pursuant to Chapter 125.69, Florida Statutes, and, upon conviction, the violator shall
11 be subject to a fine not to exceed Five Hundred (\$500.00) Dollars and/or imprisonment in the County
12 Jail for not more than sixty (60) days, or both such fine and imprisonment. Each day that a violation
13 continues shall be considered a separate offense.

14 **SECTION 21. INCLUSION IN CODE OF LAWS AND ORDINANCES**

15 The provisions of this Ordinance and the Rules and Regulations adopted hereunder shall
16 become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida.
17 The sections of this Ordinance may be renumbered or relettered to accomplish such; the word
18 "Ordinance" may be changed to "section," "article" or other appropriate word.

19 **SECTION 22. APPLICABILITY**

20 It is hereby provided that this Ordinance and the Rules and Regulations adopted hereunder
21 shall constitute a uniform law applicable in all the unincorporated and incorporated areas of Palm
22 Beach County, Florida, as authorized by Chapter 401, Florida Statutes.

23 **SECTION 23. REPEAL OF LAWS IN CONFLICT**

24 Any laws or ordinances in conflict with this Ordinance which Palm Beach County is
25 authorized to repeal are hereby repealed. Specifically, Ordinance No. 96-16, is repealed in the
26 manner described in this Ordinance.

27 **SECTION 24. SEVERABILITY**

28 If any section, paragraph, sentence, clause, phrase or word of this Ordinance is, for any
29 reason, held or declared by a court to be unconstitutional, inoperative or void, such holding shall not
30 affect the remainder of this Ordinance.

31 **SECTION 25. EFFECTIVE DATE AND IMPLEMENTATION**

32 Any provision relating to the application and certification process for obtaining a COPCN
33 shall become effective upon adoption of this Ordinance and the Rules and Regulations attached
34 hereto, and filing same with the Secretary of State. Current Certificates which have been issued to

1 Primary Providers shall be valid until the expiration date of same.

2
3
4 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach
5 County, Florida, on the 19th day of June, 2001.

6
7 DOROTHY H. WILKEN, CLERK

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

8
9
10
11 By:  Deputy Clerk

By:  Chairman

12
13
14
15 APPROVED AS TO FORM AND
16 LEGAL SUFFICIENCY

17
18
19 By:  Assistant County Attorney

20
21
22
23 EFFECTIVE DATE:

Filed with the Department of State on the

24
25 28th day of June, 2001.

1
2
3 **PALM BEACH COUNTY**
4 **ORDINANCE NO. 2001- 025**
5

6
7 **RULES AND REGULATIONS**
8 **OF THE**
9 **DEPARTMENT OF PUBLIC SAFETY**
10 **EMERGENCY MEDICAL SERVICES SECTION**
11

12
13
14 **PURPOSE**
15

16 These rules and regulations are issued as authorized by Palm Beach County Ordinance No.
17 2001- , for the purpose of improving the quality of pre-hospital emergency medical care to the
18 residents and visitors of the County. Further, it is the purpose of these rules and regulations to
19 promote the policy of the County to reduce the morbidity and mortality of trauma, to maintain a level
20 of care and service in which quality and accessibility are paramount, and to speed the healing of
21 persons who are sick or otherwise in need of pre-hospital emergency medical services.

1 **SECTION I: GENERAL**

2 **A. APPLICATIONS**

3 1. An "Application for EMS Certificate Form" (PBC Form 0988) shall be
4 completed by the applicant. This form shall accompany every application for Certificate of Public
5 Convenience and Necessity and be submitted to the Division of Emergency Management, EMS
6 Office.

7 2. Applications for Certificates of Public Convenience and Necessity shall include
8 copies of the appropriate State of Florida Department of Health and Rehabilitative Services EMS
9 application forms and shall accompany the applicant's request for Certification.

10 **B. COMPLAINTS AND INVESTIGATIONS**

11 1. Complaints about a Certificate Holder shall be reviewed after the complaint
12 has been submitted in writing to the Administrator or his designee. The complaint should state the
13 date, time, nature of the incident, location of the incident, and any other information relative to the
14 incident which may assist the Administrator in his review.

15 2. The Administrator shall review the complaint, and if warranted, conduct an
16 investigation. The Administrator may present the findings to the EMS Council.

17 **C. OPERATING PROCEDURES**

18 1. Each Certificate Holder shall maintain a central place of business and any
19 additional places within the Zone(s) or Area(s) calculated to provide minimum response time to
20 emergency medical calls. At the central place of business there shall be:

21 1.1 a filing system and adequate storage space for all records required by this
22 Ordinance;

23 1.2 a copy of all pertinent laws, rules and regulations regulating emergency
24 medical services in Palm Beach County;

25 1.3 a conspicuously posted schedule of all rates charged by the Certificate
26 Holder;

27 1.4 the Certificate of Public Convenience and Necessity conspicuously posted;
28 and

29 1.5 the State License conspicuously posted.

1 2. Every Certificate Holder shall be required to operate a sufficient number of
2 Advanced Life Support Vehicles or Units, and implement necessary policies/procedures to ensure an
3 average en route time of not greater than three (3.0) minutes average "en route" response to all
4 emergency medical calls occurring within their Zone or Area per calendar month.

5 2.1 Every Primary Provider Advanced Life Support Certificate Holder shall be
6 required to operate a sufficient number of Advanced Life Support units and
7 implement necessary policies/procedures to ensure an average Response
8 Time of eight (8.0) minutes to all emergency medical calls occurring
9 within their Zone or Area per calendar month.

10 2.2 Every Secondary Provider Advanced Life Support Certificate Holder shall be
11 required to operate a sufficient number of Advanced Life Support units, and
12 implement necessary policies/procedures to ensure an average Response
13 Time of ten (10.0) minutes to all emergency medical calls occurring
14 within their Zone or Area per calendar month.

15 3. A schedule of rates shall be provided or made available to each patient upon
16 request.

17 3.1 Under no circumstances shall payment be required prior to emergency
18 transportation of those patients requiring further medical treatment at a
19 hospital.

20 3.2 The Certificate Holder may request payment prior to transport when
21 responding to medical calls or when higher medical authority has
22 determined and the patient examination record states that ambulance
23 transportation is not required.

24 4. Any request for modification or alteration of the requirements of this section
25 must be submitted in writing to the Administrator or his designee and be approved by the
26 Administrator or his designee. All requests shall clearly state the reason(s) for the modification or
27 alteration and shall be exact in the detail identifying the benefit to the patient. The Administrator
28 may deny or approve any request for modification or alteration and report the actions to the EMS
29 Council.

1 **D. COMMUNICATIONS EQUIPMENT**

2 1. All ALS units, vehicles, and Air Ambulances which respond to emergency
3 medical or medical calls shall possess functional operating capability of direct two-way radio
4 communication with MedCom and be in compliance with the State of Florida Emergency Medical
5 Services Communications Plan.

6 2. All Certificate Holders shall have the availability of two-way radio contact
7 with their ALS units, vehicles, or Air Ambulances which respond to emergency medical or
8 medical calls. All Special Secondary Service Providers shall, at their own expense, ensure direct
9 2-way radio communications with the Primary Service Providers, as specified by the Primary
10 Providers.

11 3. Every ALS unit, vehicle, or Air Ambulance responding to emergency
12 medical calls dispatched by MedCom shall notify MedCom when en route to a call, arrival at a
13 call, en route to the hospital, arrival at the hospital, and when available for another call.

14 4. Any requests for modification or alteration to the requirements of this
15 section must be submitted in writing to the Administrator. All requests shall clearly state the
16 reason(s) for the modification or alteration and shall be exact in the detail identifying the benefit to
17 the patient. The Administrator may deny or approve any request for modification or alteration and
18 shall report the actions to the EMS Council.

19 **E. PATIENT ATTENDANTS**

20 1. Every ALS unit or vehicle shall be staffed according to the standards
21 identified in the Rules and Regulations of Florida Statute Chapter 401 as it pertains to paramedic
22 and emergency medical technician patient attendants.

23 2. Duties of Patient Attendants:

24 2.1 provide medical assistance to the patient as required through oral or written
25 protocol;

26 2.2 ensure that each patient in need of additional medical care is offered a
27 means of transportation from the scene to an appropriate medical facility;
28 and

29 2.3 determine appropriate medical facility destination from the agency Medical
30 Director or through oral or written protocols when transport is required.

- 1 3. Personnel attending a patient shall:
- 2 3.1 not direct any patient to any specific facility, agency or other service
- 3 occupation or profession for the private or personal gain of the ambulance
- 4 driver or attendant;
- 5 3.2 not smoke in vehicles that are used, or that may be used, to transport
- 6 patients; and
- 7 3.3 not ask for remuneration in excess of, or in addition to, that listed in the fee
- 8 schedule of rates provided to the Administrator and posted in the
- 9 central place of business.
- 10 4. When a patient attendant is evaluating the appropriate mode of patient
- 11 transport to a medical facility, the choice shall be made in consideration of patient condition and
- 12 the availability of ambulances, or the direction of higher medical authority or patient preference.

13 **F. VEHICLES**

14 1. Every ALS unit, vehicle, and Air Ambulance purchased for use, or intended

15 for use, within Palm Beach County shall be inspected by the Administrator or his designee to

16 ensure that each ALS unit, vehicle, and Air Ambulance meets all applicable laws of the State of

17 Florida and Palm Beach County laws as it pertains to ALS units, vehicles, and Air Ambulances.

18 2. The Certificate Holder shall notify the Administrator or his designee when a

19 new ALS unit, vehicle, or Air Ambulance is placed into operation and shall, within five (5) days of

20 placing the ALS unit, vehicle, or Air Ambulance into operation, have the ALS unit, vehicle, or Air

21 Ambulance inspected.

22 2.1 ALS units, vehicles, and Air Ambulances found to be in compliance with

23 all applicable laws of the State of Florida and Palm Beach County shall be

24 granted authority to operate in Palm Beach County by being issued a

25 Permit.

26 3. Each authorized ALS unit and vehicle shall also meet current State of

27 Florida motor vehicle safety standards.

1 **G. RECORDS**

2 1. Emergency medical service response and other records maintained by the
3 service as required by the State of Florida and this Ordinance, shall be accessible to the
4 Administrator or his designee.

5 2. Insurance policies, or certificates thereof, or certified copies of such
6 insurance policies shall be provided to the Administrator and shall provide for a thirty (30) day
7 cancellation notice to the Division of Emergency Management, EMS office. Agencies which are
8 self-insured shall provide evidence that the insurance plan has been approved by the Department of
9 Insurance, State of Florida.

10 3. On a monthly basis, each service provider (Primary, Secondary, Special
11 Secondary, Air Ambulance) shall submit a response time report to the Administrator. Reports
12 shall include a minimum of the following items: total number of EMS calls responded to by Zone
13 or Area, total number of calls with an over 8.0 minute response time (over 10.0 minutes for
14 Secondary Providers, over 20.0 minutes for Aeromedical Providers) by Zone or Area, average
15 enroute time by Zone or Area, and average response time by Zone or Area.

16 **H. INSPECTIONS**

17 1. The Administrator, or his designee, shall inspect each holder of an EMS
18 Certificate prior to, and as a continuing part of, the Certification process. This inspection shall
19 determine the continuing compliance to the Ordinance, these Rules and Regulations and State Law
20 by the Certificate Holder as a condition of Certificate and Permit issuance.

21 2. Inspections shall be conducted periodically and may be conducted without
22 notice to the Certificate Holder at reasonable times and whenever such inspection is deemed
23 necessary by the Administrator. Inspections shall be conducted without impeding patient care.

24 3. If, during the course of an inspection, a situation is found which, in the
25 determination of the Administrator, will jeopardize the safety or welfare of the EMS personnel or
26 patient care, the Administrator may exercise the powers available identified in Section 18 of the
27 Ordinance to ensure compliance of the Certificate Holder with the Ordinance.

28 **I. RESPONSE TIMES**

29 1. Primary Certificate Holders shall promptly dispatch an Advanced Life
30 Support unit or vehicle to every emergency medical call reported within their Zone or Area. Each

Certificate Holder shall ensure all en route times and response times are measured from the receipt at the Public Safety Answering Point or dispatch center.

1.1 Primary Provider Advanced Life Support units or vehicles shall maintain not greater than three (3.0) minutes en route time to each emergency medical call within that Certificate Holder's primary Area or Zone. Each Certificate Holder shall maintain, on a monthly basis, an average en route time of not greater than three (3.0) minutes, to all emergency medical calls within their primary Zone or Area. Every emergency medical call in which an Advanced Life Support unit or vehicle takes longer than three (3.0) minutes to be en route, or which cannot be responded to by the Certificate Holder, shall be recorded by the Certificate Holder and kept on file at its central place of business and made available to the Administrator or designee upon request. Excluded from these requirements are all calls not received as an emergency, all inter-facility transports, all calls responded to for stand-by, and all calls with a disposition of "cancel" or "assist".

1.2 Any Certificate Holder, dispatched or otherwise requested to respond by MedCom, shall notify MedCom when they are unable to have en route, an Advanced Life Support unit or ALS vehicle within three (3.0) minutes of receipt of a call. This notification to MedCom shall indicate: when an ALS unit or ALS vehicle will be available to respond and its estimated time of arrival; and the actual location of the ALS unit or ALS vehicle available to respond. MedCom may allow the next available Advanced Life Support unit or ALS vehicle of the Certificate Holder to respond or may secure response from another Certificate Holder.

1.3 Primary Provider Advanced Life Support units or ALS vehicles shall maintain not greater than an eight (8.0) minute response time to each emergency medical call within that Certificate Holder's primary Zone or Area. Each Certificate Holder shall maintain, on a monthly basis, an average response time of not greater than eight (8.0) minutes to all emergency medical calls within their primary Zone or Area. The Certificate Holder

1 responsible for service within Glades Sub-Zone shall be designated a Primary
2 Provider within the Glades Sub-Zone and shall maintain on a monthly basis,
3 an average response time of not greater than eight (8.0) minutes to all
4 emergency medical calls within the incorporated areas of Belle Glade,
5 Pahokee, and South Bay. Every emergency medical call in which an
6 Advanced Life Support unit or ALS vehicle takes longer than eight (8.0)
7 minutes to arrive at the scene shall be recorded and kept on file for review by
8 the Administrator. Excluded from these requirements are all calls not
9 received as an emergency, all inter-facility transports, all calls responded to
10 for stand-by, and all calls with a disposition of cancel or assist, and all calls
11 which occur during a natural or man-made disaster.

12 1.4 If a Certificate Holder's Non-Advanced Life Support vehicle arrives on
13 scene first and ascertains no medical severity of the patient(s), the
14 Non-Advanced Life Support vehicle may slow or cancel the response of the
15 responding Advanced Life Support unit.

16 1.5 Any permitted vehicle which is operated by a Secondary Provider within a
17 zone shall arrive at the scene of each emergency medical call within ten
18 (10.0) minutes of receipt of the call by the Certificate Holder. Each
19 Secondary Provider Certificate Holder must maintain an average of at least
20 ten (10.0) minutes, from the receipt of call to arrival at the scene with an
21 Advanced Life Support unit, for all of the Certificate Holder's emergency
22 responses within each Zone or Area on a monthly basis. Every emergency
23 medical call in the Secondary Provider zone which takes longer than ten
24 (10.0) minutes for its ALS unit ambulance to arrive at the scene shall be
25 recorded and kept on file for review by the Administrator. Excluded from
26 these requirements are all calls not received as an emergency, all calls
27 responded to for stand-by, all calls with the disposition of cancel or assist,
28 delays en route as approved by the Administrator, and all calls in which the
29 response is delayed due to being slowed by MedCom or an on-scene

Primary Provider, and calls which occur during a local, natural or man-made
man-made disaster.

2. Every Certificate Holder shall provide the Administrator, upon request, with
a monthly recording of the following:

2.1 the time each emergency call was received by the agency;

2.2 the time an ALS vehicle, ALS unit, or Air Ambulance was dispatched;

2.3 the time the responding ALS vehicle, ALS unit, of Air Ambulance was en
route; and

2.4 the arrival time of the respective ALS vehicle, ALS unit, or Air Ambulance.

3. Patient transport by a Certificate Holder in a vehicle other than a Permitted
Advanced Life Support unit shall be recorded by the Certificate Holder and a copy shall be
forwarded to the Administrator for review within ten (10) days of any such occurrence. This
recording shall indicate the date, time, and location of the incident and a statement of the
justification for the transport.

4. Priority Dispatch

4.1 Agencies using a nationally recognized priority dispatch system may apply
for a waiver to modify the time limits imposed by these rules. The
determination to grant the waiver shall rest with the Administrator, and must
have the approval of the EMS Council. Any waiver granted by the
Administrator must establish the specific time limits that will be met by the
agency receiving the waiver.

4.2 for calls classified by the priority dispatch system as life threatening the time
limits established in the waiver shall not be more than those contained in
Section I, 1.1 through part 1.5, of these rules.

4.3 a waiver for response times may be revoked by the Administrator at any
time.

5. Response Times for Air Ambulance.

- 1 5.1 When requested by MedCom and when flight conditions permit, Certificate
2 Holders shall promptly dispatch an Air Ambulance to emergency medical
3 calls.
- 4 5.2 An Air Ambulance shall be en route to emergency medical calls within an
5 average of five (5.0) minutes of the Air Ambulance crew's receipt of the call.
6 Excluded from these requirements are all calls not received as an emergency,
7 all inter-facility transports, all calls responded to for stand-by, and all calls
8 with a disposition of "cancel" or "assist." This shall be calculated on a
9 calendar month basis for the Certificate Holder.
- 10 5.3 An Air Ambulance responding to emergency medical calls shall arrive on
11 the scene of an emergency medical call within an average of twenty (20.0)
12 minutes of that unit's receipt of the call. This average shall be calculated on a
13 calendar month basis for the Certificate Holder.
- 14 5.4 The number of emergency medical calls responded to by the Certificate
15 Holder in which response time exceeds twenty (20.0) minutes shall not be
16 greater than 15% of the total number of emergency medical calls responded
17 to in each calendar month.
- 18 6. If the Certificate Holder is not able to dispatch an Air Ambulance within five
19 (5.0) minutes of receipt of the call, the Certificate Holder shall notify MedCom. This notification to
20 MedCom shall indicate:
- 21 6.1 When an aircraft will be available to respond; and
- 22 6.2 The actual location of the available aircraft to respond.
- 23 7. Response times for inter-facility / inter-hospital transfers.
- 24 7.1 Requests for transport of emergency medical patients must be responded to
25 by having an ALS unit at the requesting facility within eight (8.0) minutes
26 after receipt of the call. An Air Ambulance responding to requests for
27 transport of emergency medical patients shall arrive at the requesting facility
28 within twenty (20.0) minutes of the unit's receipt of the call.

- 1 7.2 Requests for transport of an urgent nature, but which are not of an emergency
2 medical classification and have not been pre-scheduled, must be responded to
3 within thirty (30.0) minutes of the agreed upon time. This response must be
4 maintained for an average of ninety (90%) percent of the calls for each
5 calendar month.
- 6 7.3 Response times for routine scheduled calls shall be responded to by having
7 an ALS unit at the requesting facility within fifteen (15.0) minutes of the
8 agreed scheduled time. This response must be maintained for an average of
9 ninety (90%) percent of the calls for each calendar month.
- 10 7.4 In the event that the patient is not ready for transport within thirty (30)
11 minutes of arrival of the ALS unit, the responding agency may leave the
12 requesting facility.

13 Upon request of the Administrator, EMS agencies shall provide response time information
14 pertaining to all or any portion of their inter-facility / inter-hospital transfers, for any given period of
15 time.

16 **J. DRIVERS AND PILOTS**

- 17 1. Drivers shall comply with the law of the State of Florida as it pertains to
18 emergency vehicle operators.
- 19 2. It is the duty of every driver of an ALS vehicle or ALS unit to:
- 20 2.1 promptly respond to emergency medical calls;
- 21 2.2 when dispatched or requested to respond by MedCom, establish and maintain
22 two-way radio contact with MedCom; and
- 23 2.3 obey all traffic laws.
- 24 3. Drivers of ALS vehicles and ALS units shall not:
- 25 3.1 direct, prescribe, or manipulate a patient to choose any particular facility,
26 agency or other service, occupation or profession for the personal gain of the
27 driver, patient attendant, or owner or operator of the Primary or Secondary
28 service;
- 29 3.2 smoke in any vehicle in which patients are, or may be, transported; and

1 3.3 ask for remuneration in excess of or in addition to that listed in the fee
2 schedule provided to the Administrator.

3 4. Air Ambulance pilots shall comply with Federal Aviation Regulations and all
4 applicable state and local statutes, regulations, rules, and ordinances governing Air Ambulance
5 operations. It is the duty of every Air Ambulance pilot to:

6 4.1 ensure the aircraft is airworthy and ready for flight;

7 4.2 maintain awareness of current and forecast weather conditions;

8 4.3 respond promptly to emergency calls;

9 4.4 maintain safety throughout the mission; and

10 4.5 establish and maintain communication with MedCom.

11 **SECTION II: RESPONSE OUTSIDE OF ZONE OR AREA**

12 1. Certificates of Public Convenience and Necessity shall be valid only within
13 the Zone or geographic Area specified on the Certificate.

14 2. Certificate Holders shall not respond to an emergency medical call in the
15 Zone or geographic Area of another Certificate Holder, unless:

16 2.1 the service is requested, by MedCom or the affected adjoining service, to
17 respond into the affected Zone or Area; or

18 2.2 an ALS vehicle or ALS unit of the Certificate Holder finds itself at or near an
19 emergency medical call in the Zone or Area of another Certificate Holder, the
20 ALS vehicle or ALS unit operator shall:

21 (a) advise MedCom of the proximity to the call and that it intends to
22 respond and render aid.

23 (b) MedCom will advise the responsible Certificate Holder that another
24 ALS vehicle or ALS unit is on-scene rendering aid. The responsible
25 Certificate Holder may respond to assist the on-scene ALS vehicle
26 or ALS unit.

27 2.3 Certificate Holders receiving emergency medical calls requesting a response
28 into an adjoining Zone(s) from agencies or persons other than MedCom shall:

- (a) obtain all pertinent information from the caller, including the name of the caller, phone number, address of the call, and a brief nature of the emergency; and
- (b) respond to the call if the location and time to arrive will benefit patient care; and
- (c) relay the information to MedCom subsequent to the call.

3. Each Certificate Holder shall be responsible to provide emergency medical response to calls outside of their assigned Zone(s) when required by MedCom, if staffed and equipped ALS vehicles or ALS units are available unless it will remove all coverage from its assigned Zone or Area.

4. MedCom shall assign ALS units to respond to calls outside of their assigned Zone(s) by the proximity of the units to the patient.

SECTION III: AREAS AND SECONDARY PROVIDER ZONES

1. Certificates of Public Convenience and Necessity shall be valid only within the Zone(s) or geographic Area(s) specified on the Certificate.

2. Secondary Provider Certificate Holders with an Inter-facility/Transfer Endorsement may respond to medical calls and provide inter-hospital transfers and transfers anywhere within the County, using ALS units permitted in Palm Beach County.

3. The EMS Certificate Zones for holders of Secondary Provider ALS Transport Endorsements are as follows:

- 3.1 Zone 1: All of the unincorporated territory bounded on the North by the Martin-Palm Beach County Line; on the south by Hypoluxo Rd. and its extension west to the L40 canal and its extension east to the Atlantic Ocean; on the west by the range line dividing Ranges 39E/40E and its southerly extension to Southern Blvd., then continuing south along the L40 canal to its intersection with the westerly extension of Hypoluxo Rd. AND all of the incorporated territory of:
 - a. The Town of Jupiter
 - b. The Village of Tequesta

- 1 c. The Town of Jupiter Inlet Colony
- 2 d. The Town of Juno Beach
- 3 e. The City of Palm Beach Gardens
- 4 f. The Village of North Palm Beach
- 5 g. The Town of Lake Park
- 6 h. The City of Riviera Beach
- 7 i. The Town of Palm Beach Shores
- 8 j. The Town of Mangonia Park
- 9 k. The City of West Palm Beach
- 10 l. The Town of Cloud Lake
- 11 m. The Town of Glen Ridge
- 12 n. The Town of Lake Clarke Shores
- 13 o. The Village of Palm Springs
- 14 p. The City of Lake Worth
- 15 q. The City of Atlantis
- 16 r. The Town of Lantana
- 17 s. The Town of Manalapan
- 18 t. The Town of South Palm Beach
- 19 u. The Town of Haverhill
- 20 v. The City of Greenacres
- 21 w. The Village of Royal Palm Beach
- 22 x. The Town of Palm Beach
- 23 y. The Village of Wellington

24 3.2 Zone 2: All of the unincorporated territory bounded on the North by
25 Hypoluxo Rd. and its extension west to the L40 canal and its extension east
26 to the Atlantic Ocean; on the west by the L40 canal from its intersection with
27 the westerly extension of Hypoluxo Rd. south to its intersection with the
28 Palm Beach-Broward County Line; on the east by the Atlantic Ocean. AND
29 all of the incorporated territory of:

- a. The Town of Hypoluxo
- b. The City of Boynton Beach
- c. The Town of Ocean Ridge
- d. The Town of Briny Breezes
- e. The Town of Gulfstream
- f. The City of Delray Beach
- g. The Village of Golf
- h. The Town of Highland Beach
- i. The City of Boca Raton

3.3 Glades Sub-Zone: Bounded on the north by the Palm Beach/Martin County Line; on the west by the Palm Beach/Hendry County Line; on the south by the Palm Beach/Broward County Line; on the east by the range line dividing Ranges 39/40E, south from the Palm Beach/Martin County Line to its intersection with the L-8 Canal; then south to its intersection with the L7/6 Canal, to its intersection with the Palm Beach/Broward County Line; AND all of the incorporated territory of:

- a. The City of Pahokee
- b. The City of Belle Glade
- c. The City of South Bay

4. In the event the number of emergency calls in Zone 1 or Zone 2 is reduced by fifteen (15%) percent or more in any single calendar year, the Zones or Areas referenced herein may be modified based on the following procedure:

4.1 The Certificate Holder shall petition the County's EMS Advisory Council for review of the distribution of calls and the Certificate Holder shall carry the burden of proving that there exists a fifteen (15%) percent loss of emergency calls. However, the mid-term exchange of the Glades Sub-Zone shall be considered as a loss of emergency calls.

- 1 4.2 The EMS Council shall reconvene the Ambulance Zone Task Force to work
2 with staff to review and recommend changes to the Zones.
- 3 4.3 The Task Force shall present its findings to the EMS Council. The EMS
4 Council shall either approve, reject or modify the Task Force's
5 recommendations for submission to the Board of County Commissioners at a
6 public hearing.
- 7 4.4 At the public hearing, the Board of County Commissioners shall either
8 approve, deny, or modify the zone change recommendation.
- 9 4.5 If approved or modified, the zone change shall take effect ninety (90) days
10 after its approval by the Board.